

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

DAMIAN STINNIE, MELISSA
ADAMS, and ADRAINNE JOHNSON,
individually, and on behalf of all others
similarly situated; WILLIEST BANDY,
and BRIANNA MORGAN, individually,
and on behalf of all others similarly
situated,

Plaintiffs,

v.

RICHARD D. HOLCOMB, in his official
capacity as the Commissioner of the
VIRGINIA DEPARTMENT OF MOTOR
VEHICLES,

Defendant.

Civ. No: 3:16-cv-00044

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs Damian Stinnie, Melissa Adams, Adrainne Johnson, and Williest Bandy and Brianna Morgan move the Court to order certification of two classes, whereby each class (guided by named Plaintiffs and counsel) can prosecute the claims asserted in this litigation. Plaintiffs ask the Court (1) to certify a Suspended Class consisting of all persons whose driver's licenses are currently suspended for failure to pay court debt under Section 46.2-395 of the Code of Virginia; and (2) to certify a Future Suspended Class consisting of all persons whose driver's licenses will be suspended for failure to pay court debt under Section 46.2-395 of the Code of Virginia.

The Court should award this relief. The proposed classes are numerous. Fed. R. Civ. P. 23(a)(1). The class claims are subject to common proof and satisfy commonality. Fed. R. Civ. P.

23(a)(2). Named Plaintiffs' claims are typical of the class claims. Fed. R. Civ. P. 23(a)(3). The representative parties will fairly and adequately protect the classes' interests. Fed. R. Civ. P.

23(a)(4). Class counsel is similarly adequate and has no conflicts. Fed. R. Civ. P. 23(g). And the class claims all arise from the Commissioner's uniform policies and practices that can be addressed by single entry of declaratory and injunctive relief. Fed. R. Civ. P. 23(b)(2).

The arguments for and scope of this requested class certification are more fully set forth in the accompanying memorandum in support of this motion, and those arguments are incorporated here. *See* Local Civil Rule 11(c)(1). Plaintiffs ask this Court to grant this motion, enter the proposed order attached to this motion as Exhibit 1, and afford all other appropriate relief.

Date: September 11, 2018

By: /s/ *Angela A. Ciolfi*

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CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2018, I electronically filed the foregoing Memorandum of Law in Support of Plaintiffs' Motion for Class Certification with the Clerk of Court using the CM/ECF System, which will send a notification of such filing to the following CM/ECF participants:

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